REMARKS

Claims 1, 9-13, 26, 28, 32, 34 and 42 are currently pending in the subject application and are presently under consideration. As shown on pp. 2-7 of the Reply, claims 1, 9, 11, 13, 26, 28, 32, and 34 have been amended, claims 2-8, 14-25, 27, 29-31, 33 and 35-41 have been canceled and claim 42 has been added for an additional scope of protection.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   Summary of the Invention

With the invention, a request for a hierarchical data stream, such as an XML stream, specifies a mode from a set of different modes for organizing the information returned in the XML stream. For instance, in a first mode, primary-foreign key information is utilized when generating the data stream to organize the data stream. In another mode, the order of the tables in the query defines the organization of the data stream. In yet another mode, an explicit definition of the organization of the stream is contained in the query, including nesting information.

In this regard, depending upon which mode of a set of modes is designated in the query, the resulting data stream is organized differently. Applicants respectfully submit that the prior art does not teach or suggest the designation of a mode from a set of modes that defines the way a data stream is organized when returned from the query.

As shown in Fig. 2, the mode information is extracted by the parser 205 and is sent to the rowset processor 209, bypassing the query processor 207, such that when the hierarchical data stream is generated by the rowset processor 209, the rowset processor 209 uses the mode information to organize the output. New claim 42, for instance, has been drafted as generally corresponding to the embodiment of Fig. 2.

II.   Rejection of Claims 1-41 Under 35 U.S.C. §§ 102(e), 103

Claims 1-41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Cheng, et al. (US 6,366,934), and invariably stand rejected under 35 U.S.C. § 103 over Cheng, et al. in view of Richard, et al. (US 6,484,160). Without conceding the propriety of the combination of Cheng, et al. and Richard, et al., as previously discussed, Applicants have amended the independent claims herein to reflect the particular kinds of modes enabled by the various embodiments of

Applicants' invention.

In brief, neither Cheng, et al. nor Richard, et al. can fairly be said to teach or suggest the selection of a mode from the particular combination of modes as now set forth in claims. For instance, none of the references of record can be said to teach or suggest a "query including mode information designating a mode from <u>multiple modes including a mode that specifies one or more table names, a mode that specifies an ordered list of one or more tables and a mode that explicitly defines a nesting of requested data and a naming of requested columns in a hierarchical data stream, where the mode information</u> specifies, within the query itself, a hierarchical data stream organization" as recited by amended claim 1.

In this regard, Cheng, et al. does not disclose modes of operation for rowset generation, as admitted previously. Irrespective of whether there is any correspondence between the mode information as claimed by Applicants and the "scope and filtering" information as disclosed by Richard, et al., the scope and filtering information of Richard, et al. surely cannot be said to suggest the particular combination of modes, as now recited in combination by Applicants.

Similar remarks apply to each of independent claims 9, 11, 13, 26, 28, 32, 34 and 42, and thus these independent claims are also believed allowable for encompassing a particular combination of modes from which to select, a feature not taught or suggested by Cheng, et al. or Richard, et al., alone or in combination. The mere mention of "scope and filtering" does not teach or suggest such particular combination of modes. In this respect, Applicants respectfully request reconsideration and allowance of this application based at least on these improvements not disclosed or suggested by the cited art, taken alone or in combination. Claims 10 and 12 depend from claims 9 and 11, respectively and are believed allowable for at least the same reason as their respective base claim.

In addition to claiming an enhanced combination of modes, new claim 42 also recites that the query processor processes the query "to generate at least one rowset based on the query **without reference to the mode information extracted during parsing**," yet another feature not taught or suggested by Cheng, et al. or Richard, et al. Reconsideration and withdrawal of the outstanding rejections under 35 U.S.C. §§ 102(e), 103 is thus respectfully requested.

<u>CONCLUSION</u>

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP1470USB].

Should the Examiner believe an additional telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

 /Himanshu S. Amin/
Himanshu S. Amin
Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731